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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/720,259	02/02/2001	Olle Inganas	P66218US0	8356

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EXAMINER
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OLSEN, ALLAN W

ART UNIT	PAPER NUMBER
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1763

DATE MAILED: 01/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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## Office Action Summary

Application No.

09/720,259

Applicant(s)

INGANAS ET AL.

Examiner

Allan Olsen

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**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

**A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.**

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 04 October 2004.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3,5,14-16 and 18 is/are rejected.
- 7) ☒ Claim(s) 4,6-13,17 and 19-25 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 February 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All   b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)                      4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)                      5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_                      6) ☐ Other: \_\_\_\_\_

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## **DETAILED ACTION**

### ***Election/Restrictions***

In the paper filed 11/18/2003 applicant's elected, with traverse, the Group II invention (claims 14-25). In the paper filed May 20, 2004, applicant states the inventions of groups I and II are "exact inverse analogues and each one is obvious in light of each other." As such, the restriction requirement is hereby withdrawn.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

**Claims 14 is rejected under 35 U.S.C. 102(b) as being anticipated by Rogers et al. in Advanced Materials, 1999 Vol., 11 No. 9, pages 741-745 (hereinafter, Rogers).**

Rogers teaches micro-contact printing with a stamp that comprises a patterned photoresist onto which a thin polymeric film is provided. Rogers teaches transferring the thin polymeric film onto a surface such that the transferred portion of the polymer film corresponds to the pattern of the photoresist upon which the polymer film was provided. Rogers teaches using such stamps in a process that is used to create a masking layer over a thin gold film so that the gold may be patterned by etching. See figure 4a and corresponding text on page 742 (immediately below Fig. 2).

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**Claims 14 –16 and 18 are rejected under 35 U.S.C. 102(b) as being anticipated by James et al. in Langmuir, 1998, 14, 741-744 (hereinafter, James).**

James teaches micro-contact printing of a polymer by applying a polymer coated stamp to a substrate. James teaches plasma etching the substrate to increase adhesion between the substrate and the polymer. James teaches plasma etching the stamp to decrease the adhesion between the stamp and the polymer. James teaches printing by stamping with aqueous based protein (polymer) solutions. See entire document.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

**Claims 1-3 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over James as applied above to claim 14-16 and 18 in view of applicant admission of obviousness.**

Claims 1-3 and 5 are the “exact inverse analogues” of claims 14-16 and 18. Applicant has admitted that these “exact inverse analogues” are obvious in light of each other.”

**Claims 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rogers as applied above to claim 14 in view of applicant admission of obviousness.**

Claim 1 is an "exact inverse analog[ues]" of claim 14 which applicant has admitted are obvious in light of each other."

### ***Response to Arguments***

Applicant's arguments filed May 20, 2004 have been fully considered but they are not persuasive.

Applicant argues, "Rogers et al does not disclose microcontact printing of thin films of polymers at all, but a conventional procedure for printing gold electrodes on an insulating substrate." The examiner recognizes that there are differences between Rogers' process and that of applicant's, however, the disclosure of Rogers is considered to read upon applicant's invention as presently claimed. Claim 14 recites:

*"A method for transferring a patterned polymer film onto a material surface by means of a stamp having a surface with at least one indentation formed therein, said method comprising the steps of depositing onto the stamp surface a thin film of polymer..."*

Figure 4a of Rogers depicts elements of a process that corresponds to the claimed stamp with a thin film of polymer deposited thereon. The photoresist of figure 4a is patterned before the elastomer layer is applied and therefore this correlates to the claimed "stamp having at least one indentation formed therein"

Claim 14 continues:

*"...applying the stamp made of an elastomeric material in conformal contact with the material surface, such that the thin film of polymer is transferred thereto from one or more protruding elements of the elastomeric stamp formed by the at least one indentation thereof, and leaving a patterned thin film of polymer on the material surface when removing the stamp therefrom."*

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The second part of Rogers' figure 4a, which corresponds to the above claim limitations, depicts the transferring of a patterned polymer onto a glass cylinder, wherein the glass cylinder corresponds to the claimed "material surface".

With respect to James, applicant argues:

*"James et al teaches a microcontact printing of patterned protocol in layers of solid substrates. This cannot be regarded as relevant for the present invention which is not concerned with protein layers at all, but rather with obtaining patterns in conventional insulating or conjugated polymers as used in molecular electronics."*

In response, to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., *obtaining patterns in conventional insulating or conjugated polymers as used in molecular electronics*) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

### ***Allowable Subject Matter***

Claims 4, 6-13, 17 and 19-25 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### ***Drawings***

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Figures 1-3 depict the invention

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as claimed in claim 1. However the invention of claim 14 is not depicted. No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

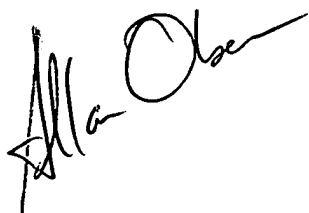
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TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Allan Olsen whose telephone number is 571-272-1441. The examiner can normally be reached on M-F 1-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Greg Mills can be reached on 571-272-1439. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Allan Olsen', with a stylized flourish at the end.

Allan Olsen  
Primary Examiner  
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